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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---|---|---|---|
| 09/542,243 | 04/03/00 | WANG A | PD-990212 |

| EXAMINER | |
|---|---|
| NGUYEN, C | |
| **ART UNIT** | **PAPER NUMBER** |
| 3635 | 5 |

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**DATE MAILED:** 08/07/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/542,243 | WANG, ARTHUR W. | |
| | Examiner | Art Unit | |
| | Chi Q Nguyen | 3635 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *6/15/01* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claims *1-16* are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15)☒ Notice of References Cited (PTO-892)
16)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
18)☐ Interview Summary (PTO-413) Paper No(s). _____
19)☐ Notice of Informal Patent Application (PTO-152)
20)☐ Other:

## DETAILED ACTION

1. Applicant's election with traverse of group II (claims 17-28 in Paper No. 09/542,243 is acknowledged. The traversal is on the ground(s) that the groups I and II are substantially similar and that examining both groups provides no further burden to the examining group. This is not found persuasive because group I is drawn to a business method which therefore in different class.

### *Response to Arguments*

2. Applicant's arguments filed 6/15/01 have been fully considered but they are not persuasive.

In response to applicant's argument that claims group I and group II are substantially similar and that examining both groups provides no further burden to the examining group. However, group I is drawn to a business method which is in different class so that the search for these claims are belong to that particular art unit. Therefore, the restriction is proper made by examiner.

a. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Oliver et al. discloses an electrical device

assembly which comprising a terminating connector 10, and wires 16 routing within a plurality of studs 40, see figs. 1-3. However, Oliver does not specifically teach the wires 16 are satellite wires. It would have been an obvious to one having ordinary skill in the art at the time the invention was made to route satellite from one connector to another outside of a building, since the examiner takes Office Notice of the equivalence of electrical wires and satellite wires for applicant's application would be the level of ordinary skill in the art.

b. In response to applicant's argument that the Macdonald's disclosure does not teach the deficiencies of the Oliver reference. Examiner considers it would have been an obvious matter when one having ordinary skill in the art at the time of invention was made to replace the electrical wires for satellite wires connected to antenna, since Macdonald teaches a signal transmitted and receiving by antenna, pointed towards a satellite (col. 4, line 35-37).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver (U.S. Patent Number 6,166,329) in view of Macdonald (U.S. Patent Number 5,835,128).

With regards to the claims 17-22, Oliver discloses an electrical device assembly comprising a plurality of studs 40, satellite wires enclosed within 18, a terminating connector 10, a drywall layer 42 (see Figs. 3A-3D). Oliver does not disclose expressly an universal connector coupled to second termination of satellite, first termination positioned outside the building and an universal connector comprising a phone jack, a cable TV jack, a satellite TV jack, a LAN jack. Macdonald teaches a system for redistributing a television signal to a multiplicity of receiver units can be used with any type of satellite within a multiple dwelling unit comprising a signal receiver 13 positioned outside of the building (on the roof) including an antenna 14, transmitters 20, 22, 24, 26. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Oliver with Macdonald. The motivation for doing so would have been to provide the satellite signals from antenna connect to outlet jacks through out the building.

5. Claims 22, 24-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Macdonald (U.S. Patent Number 5,835,128) in view of Mast (U.S. Patent Number 6,166,705) and Zhang (U.S. Patent Number 6,201,509 B1).

With regards to the claims 22, 24-28, Macdonald discloses a redistribution of TV satellite signal including an antenna 14, transmitters 20, 22, 24, 26. Macdonald does not disclose expressly an antenna is flat, a phase array, a variable-inclination-continuous-transverse-stub, and a match with a roof color. Mast teaches a flat, a low phased array antenna 10 (Figs 1-2), Zhang further teaches a continuous transverse stub antenna (see Figs. 3-8). At the time of the invention, it would have been obvious to a person of

ordinary skill in the art to combine Macdonald with Mast and Zhang. The motivation for doing so would have been to provide a wide range signal so that the antenna could be fully transmitted. However, Macdonald, Mast and Zhang do not explicitly teach an antenna has a color to substantially match a roof color and a remote control. It would have an obvious matter of design of choice to have a different color of antenna.

6. Claims 23, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macdonald (U.S. Patent Number 5,835,128) in view of Spano (U.S. Patent Number 6,204,823 B1).

With regards to the claim 23, 26 Macdonald had disclosed the structural elements of the TV antenna as previous described in paragraph 8 except Macdonald does not disclose expressly antenna is low profile. Spano teaches a low profile antenna positioning including a controller with an azimuth drive mechanisms (see Fig. 2). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Macdonald and Spano. The motivation for doing so would have been to provide a different location for mounting the antenna where as a high wind region could be applied.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication should be directed to Chi Q. Nguyen whose telephone number is (703) 605-1224, Monday-Thursday (7:00-5:00), Fridays off or the examiner's supervisor Carl D. Friedman (703) 308-0839.

CQN 7/26/2001

Carl D. Friedman
Supervisory Patent Examiner
Group 3600